

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Sean M. McKenney, E.M.T.I.

Petition No. 2000-0307-071-001

CONSENT ORDER

WHEREAS, Sean M. McKenney of Brookfield, Connecticut (hereinafter "respondent") has been issued certificate number 980108 to practice as an emergency medical technician - intermediate on August 14, 1998 by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 368d of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. On February 9, 2000, respondent was employed as an emergency medical technician - intermediate by Business Systems, Inc., a subsidiary of Danbury Hospital in Danbury, Connecticut.
2. On February 9, 2000, respondent was dispatched as part of a paramedic intercept team to treat an intoxicated patient, A.B., whose right leg was injured following a fall.
3. While treating patient A.B., respondent used profanity towards the patient twice.
4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §19a-180(b), including, but not limited to § 19-179-9(f).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before a hearing officer

designated by the Commissioner (hereinafter "the Department"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§ 19a-10 and 19a-180 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§ 19a-180 and 19a-17 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's certificate number 980108 to practice as an emergency medical technician - intermediate in the State of Connecticut is hereby reprimanded.
3. Respondent's certificate shall be placed on probation for a period of one (1) year under the following terms and conditions:
 - a. Respondent shall participate in regularly scheduled anger management therapy at his own expense with a licensed or certified therapist pre-approved by the Department (hereinafter "therapist").
 - (1) Respondent shall provide a copy of this Consent Order to his therapist.
 - (2) Respondent's therapist shall furnish written confirmation to the Department of his engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (3) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in

frequency of therapy sessions, and/or respondent's transfer to another therapist.

- (4) The therapist shall submit reports monthly for the duration of the probation program which shall address, but not necessarily be limited to, respondent's ability to practice as an emergency medical technician – intermediate safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.
 - (5) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public, or if respondent discontinues therapy and/or terminates his services.
 - b. Respondent shall provide his sponsor hospital and his employer at each place where respondent practices as an emergency medical technician – intermediate throughout the probationary period, with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. Respondent agrees to provide reports from his employer monthly for the duration of the probationary period, stating that respondent is practicing with reasonable skill and safety.
4. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

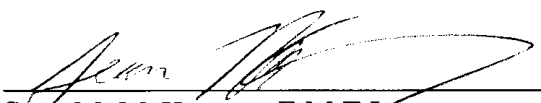
5. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
6. Respondent shall comply with all state and federal statutes and regulations applicable to his certification.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 8a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before a hearing officer which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the hearing officer by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.

9. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as an emergency medical technician – intermediate, upon request by the Department, with notice to the Department, for a period not to exceed forty-five (45) days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation. Respondent further agrees that failure to cooperate with the Department in its investigation during said forty-five (45) day period shall constitute grounds for the Department to seek a summary suspension of respondent's certificate. In any such summary action, respondent stipulates that his failure to cooperate with the Department's investigation shall constitute an admission that his conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
10. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his certificate before a hearing officer.
11. In the event respondent is not employed as an emergency medical technician - intermediate for a period of thirty (30) consecutive days or longer, or is employed as an emergency medical technician – intermediate less than twenty (20) hours per week, or is employed outside of the State of Connecticut, respondent shall notify the Department in writing. Such periods of time shall not be counted in reducing the probationary period covered by this Consent Order.
12. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.

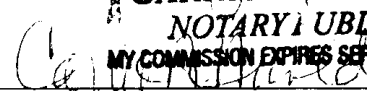
13. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Department.
14. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before a hearing officer in which his compliance with this Consent Order or with § 19a-180(b) of the General Statutes of Connecticut, as amended, is at issue.
15. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
16. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.
17. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
18. Respondent permits a representative of the Legal Office of the Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the hearing officer. Respondent understands that the Commissioner has complete and final discretion as to whether this executed Consent Order is approved or accepted.

19. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
20. Respondent has the right to consult with an attorney prior to signing this document.

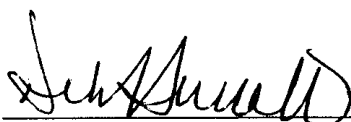
I, Sean M. McKenney, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

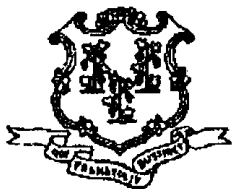

Sean M. McKenney, E.M.T.I.

Subscribed and sworn to before me this 16 day of July 2001.


CARRIE A. ARNOLD
NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 30, 2004
Notary Public or person authorized
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 16th day of July 2001, it is hereby accepted.


Debra J. Turcotte, Director
Division of Health Systems Regulation



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

August 9, 2002

Sean McKenney, EMT-I
27 Beech Tree Road
Brookfield, CT 06804-3802

re: Consent Order
Petition No. 2000-0307-071-001
Certificate No. 980108

Completion of Probation

Dear Mr. McKenney:

Please accept this letter as notice that you have satisfied the terms of your certificate probation, effective 08/01/2002.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your certificate as an Emergency Medical Technician – Intermediate, related to the above-referenced Consent Order.

Please be certain to retain this letter as documentation that you have completed the certificate probation.

Thank you for your demonstrated cooperation during the probationary process.

Sincerely,

A handwritten signature in cursive script that reads "Richard Goldman".

Richard Goldman
Paralegal Specialist II
Division of Health Systems Regulation

c: J. Filippone, PHSM
B. Pinkerton, RNC



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 12HSR
P.O. Box 340308 Hartford, CT 06134
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